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PART II—Section 3—Sub-section (i)

प्राधिकार से प्रकाशित

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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF FINANCE

(Department of Economic Affairs)

NOTIFICATIONS

New Delhi, the 14th November 1969

G.S.R. 2641.—In exercise of the powers conferred by sub-section (1) of section 12 of the Foreign Exchange Regulation Act, 1947 (7 of 1947), as amended by the Foreign Exchange Regulation (Amendment) Ordinance, 1969 (9 of 1969), and in supersession of the notification of the Government of India in the Ministry of Finance No. 12(17)-F.I/47, dated the 4th August, 1947, the Central Government hereby prohibits the export, otherwise than by post, of all goods, either directly or indirectly, to any place outside India, other than Nepal and Bhutan, unless the exporter furnishes to the prescribed authority a declaration in the prescribed form supported by such evidence as may be prescribed or so specified and true in all material particulars which, among others, shall include the amount representing—

(i) the full export value of the goods, or

(ii) if the export value of the goods is not ascertainable at the time of export, the value which the exporter, having regard to the prevailing market conditions, expects to receive on the sale of the goods in the course of international trade,

and affirms in the said declaration that the full export value of the goods or, in a case falling under item (ii), the full value for which the goods are sold has been, or will within the prescribed period be paid in the prescribed manner:

Provided that this prohibition shall not apply to the export of:

(1) Samples and personal effects, whether accompanied or unaccompanied, of travellers;

(2) Ships' stores, transhipment cargo and goods shipped under the orders of the Central Government or of such officers as may be appointed by the Central Government in this behalf or of the military, naval or air force authorities in India for military, naval or air force requirements;

(3) Goods despatched by air freight and accompanied by a declaration by the sender that they are less than fifty rupees in value and that their despatch does not involve any transaction in foreign exchange;

(4) Goods despatched by air freight and covered by a certificate issued by an authorised dealer that their export does not involve any transaction in foreign exchange;

(5) Goods which the Reserve Bank has, by a general or special order, permitted to be exported without furnishing a declaration as provided for herein.

[No. F. 1(68)/69-EP.]

G.S.R. 2642.—In exercise of the powers conferred by sub-section (1) of section 12 of the Foreign Exchange Regulation Act, 1947 (7 of 1947) as amended by the Foreign Exchange Regulation (Amendment) Ordinance, 1969 (9 of 1969) and in supersession of the notification of the Government of India in the Ministry of Finance No. 12(18)-F. 1/47, dated the 4th August, 1947, the Central Government hereby prohibits the export, by post, of all goods, either directly or indirectly to any place outside India, other than Nepal and Bhutan, unless the exporter furnishes to the prescribed authority a declaration in the prescribed form, supported by such evidence as may be prescribed or so specified and true in all material particulars which, among other, shall include the amount representing:—

(i) the full export value of the goods, or

(ii) if the export value of the goods is not ascertainable at the time of export, the value which the exporter, having regard to the prevailing market conditions, expects to receive on the sale of the goods in the course of international trade,

and affirms in the said declaration that the full export value of the goods or, in a case falling under item (ii), the full value for which the goods are sold has been, or will within the prescribed period be paid in the prescribed manner:

Provided that this prohibition shall not apply:

(1) where the postal packet is covered by a certificate issued by an authorised dealer that the export of the parcel does not involve any transaction in foreign exchange;

(2) where the postal packet is accompanied by a declaration by the sender that the contents of the parcel are less than fifty rupees in value and that the despatch of the parcel does not involve any transaction in foreign exchange;

(3) to goods which the Reserve Bank has, by a general or special order permitted to be exported without furnishing a declaration as provided for herein.

[No. F. 1(68)/69-EP.]

G.S.R. 2643.—In exercise of the powers conferred by section 27 of the Foreign Exchange Regulation Act, 1947 (7 of 1947) as amended by the Foreign Exchange regulation (Amendment) Ordinance, 1969 (9 of 1969), the Central Government hereby makes the following rules further to amend the Foreign Exchange Regulation Rules, 1952.

1. These regulations may be called the Foreign Exchange Regulation (Amendment) Rules, 1969.

2. In the Foreign Exchange Regulation Rules, 1952 (hereinafter referred to as the said rules), in sub-rule (2) of rule 5, for clauses (ii) and (iii), the following clauses shall be substituted, namely:—

"(ii) that the invoice value stated in the declaration—

(a) is the full export value of the goods, or

(b) is the value which the exporter, having regard to the prevailing market conditions, expects to receive on the sale of the goods in the course of international trade where the export value of the goods is not ascertainable at the time of export;

(iii) that the full export value of the goods declared, or, in the case of item (b) of clause (ii), the full value for which the goods are sold, has been, or will within the prescribed period be, paid in the prescribed manner."

3. In the First Schedule to the said rules—

(a) in Form G.R. 1, in each of the original, duplicate and triplicate copies, in the declaration—

(i) for the brackets, letter and words "(b) that this is a fair valuation of the goods which are unsold," the following shall be substituted, namely:—

"(b) that the export value of the goods is not ascertainable at the time of export and that the value declared is that which I, having regard to the prevailing market conditions, expect to receive on the sale of the goods in the course of international trade";

(ii) for the words "resulting from the export of these goods", the words "representing the full export value of the goods/full value for which goods are sold" shall be substituted;

(b) in Form G.R.X. in each of the original and duplicate copies, in the declaration, for the portion beginning with the words "that this is a fair valuation of the goods" and ending with the words "on or before* ....", the following shall be substituted, namely:—

"that the export value of the goods is not ascertainable at the time of export and that the value declared is that which I, having regard to the prevailing market conditions, expect to receive on the sale of the goods in the course of international trade and I/my principals undertake that I/they will deliver to the bank mentioned below the foreign exchange/rupee proceeds representing the full export value of the goods/full value for which the goods are sold on or before *..... ....*";

(c) in Form E.P., in each of the original, duplicate and triplicate copies, in the declaration, for clause (b), the following clause shall be substituted, namely:—

"(b) that the export value of the goods is not ascertainable at the time of export and that the value declared is that which I, having regard to the prevailing market conditions, expect to receive on the sale of the goods in the course of international trade and I/my principals undertake that I/they will deliver to the bank mentioned below the foreign exchange/rupee proceeds representing the full export value of the goods/full value for which the goods are sold on or before* ....";

(d) in Form P.P. in each of the original, duplicate and triplicate copies, in the declaration—

(i) for the brackets, letter and words

"(b) that this is a fair valuation of the goods which are unsold", the following shall be substituted, namely:—

"(b) that the export value of the goods is not ascertainable at the time of export and that the value declared is that which I,

having regard to the prevailing market conditions, expect to receive on the sale of the goods in the course of international trade";

(ii) for the words "resulting from the export of these goods on or before *..... in a manner prescribed by the Reserve Bank of India", the words "representing the full export value of the goods/ full value for which the goods are sold on or before *....." shall be substituted.

[No. F. 1(68)/69-E.P.]

S. N. MATHUR, Under Secy.

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